



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1651
#5/PR
10-16-02

Applicant(s) : **Ruth Lipman**
Appl. No. : **10/035,305**
Filed : **11/09/2001**
Title : **METHOD, APPARATUS AND COMPOSITION FOR REPELLING
ANIMALS**
Art Unit : **1651**
Examiner : **Coe, Susan D.**
Dkt. No. : **LIPM-3298**

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Honorable Commissioner For Patents
U.S. Patent and Trademark Office
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TECH CENTER 1600/2900

Response to Restriction Requirement

Sir:

In response to the Restriction Requirement dated September 18, 2002, Applicant hereby provisionally elects Group I, claims 1-12, drawn to a method of using Allium, classified in class 424, subclass 754 and Species A: onions, Species B: lecithins. This election is made with traverse, and Applicant hereby reserves the right to file a divisional application in connection with unelected claims 13-20.

Certificate of Mailing

I hereby certify that the correspondence to which this statement is affixed is being deposited with the United States Postal Service, postage paid as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 this date of October 2, 2002.


Lisa A. Molloy

With regard to the Restriction Requirement, Applicant respectfully submits that the subject matter of all claims 1-20 is sufficiently related that a thorough search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining claims. Thus, Applicant respectfully submits that the search and the examination of the entire application could be made without serious burden. See MPEP § 803, in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits" (emphasis added). Applicant respectfully submits that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

Should the Examiner require or request anything further from Applicant prior to examination, the Examiner is requested to contact Applicant's undersigned representative at the telephone number below. Otherwise, Applicant requests early and favorable examination on the merits.

A handwritten signature in black ink, appearing to read 'Arlen L. Olsen', written over a horizontal line.

Arlen L. Olsen
Reg. No. 37,543

Dated: October 2, 2002

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